

REMARKS

Reconsideration and allowance of the subject application are respectfully requested.

Claims 1-10 have been examined. Claims 1-10 are all the claims pending in the application.

Claim rejections -- 35 U.S.C. § 102

Claims 1-10 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Sakamoto, which is previously of record.

Claim 1 recites, *inter alia*, wherein said selection means switches its selection from data in said second storage means to data in said first storage means when the picture quality degradation of re-encoded data from said data in said first storage means is less than a predetermined threshold.

Applicants respectfully submit that Sakamoto does not teach or even suggest this feature of claim 1. Applicants submit that claim 5 discloses a feature similar to this feature of claim 1.

Accordingly, claims 1 and 5 are patentable over Sakamoto for this reason.

With respect to independent claims 9 and 10, these claims recite the feature of replacing a portion of the encoded moving picture data by the re-encoded data. The Examiner maintains, at page 3 of the Final Office Action, that Sakamoto discloses compressed video data, and that the coded data contained in the fast playback coded video data are more compressed, and thus this compressed data corresponds to the claimed replacing operation. However, Applicants respectfully disagree with the Examiner's position.

Sakamoto describes, at col. 8, line 64 to col. 9, line 3, that the fast playback coded video data are produced by extracting necessary frames from the coded data, and that the normal data and fast playback data may be *linked*. Moreover, at col. 9, lines 58-61, Sakamoto describes using a synchronization control unit to control synchronization of the normal and fast playback

data. This disclosure suggests that the normal and fast playback data are separate, and are not replaced since they are instead synchronized. Therefore, Applicants respectfully submit that Sakamoto does not disclose or otherwise teach replacing a portion of the encoded data by the re-encoded data, as recited by claims 9 and 10, and accordingly that claims 9 and 10 are patentable over Sakamoto for this reason.

Applicants respectfully submit that the remaining claims are patentable over Sakamoto based on their respective dependencies.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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